GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Endowments Department – The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Hereditary Archakas Qualifications and Emoluments Rules, 2017 – Preliminary Notification - Issued.

REVENUE (ENDOWMENTS-I) DEAPRTMENT

G.O.MS.No. 76 Dated: 16-02-2017

Read:

The A.P.Charitable and Hindu Religious Institutions & Endowments Act, 1987 (Act No.30 of 1987) as amended by Act No.33 of 2007.

** ** **

ORDER:

In pursuance of the directions of the Hon'ble Supreme Court as well as a consequence of the amendment to the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 1987 (incorporation of sub-section (3) to Section 34 and sub-section (4) to Section 35 and two provisos to Section 144), the services rendered by hereditary archakas has been recognised and framing of a separate set of rules for hereditary archakas has become necessary. As a result of these rules, the traditional Hindu Temple System will be preserved especially in small village temples.

2. Accordingly, the Government of Andhra Pradesh which is a sacred trusty of the temples in the State by virtue of Endowments Act, has decided to frame "The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Hereditary Archakas Qualifications and Emoluments Rules, 2017".

3. The following notification will be published in an Extra-ordinary issue of the Andhra Pradesh Gazette, Dated: 18-02-2017.

PRELIMINARY NOTIFICATION

The following "The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Hereditary Archakas Qualifications and Emoluments Rules, 2017" are proposed to be made, in exercise of the powers conferred under sub-section (3) of Section 34 read-with Section 144 and Section 142 with sub-section (1) of Section 153 of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (Act No.30 of 1987) as amended by Act No.33 of 2007, is hereby published for general information in the Andhra Pradesh Gazette as required under sub-section (1) of section 153 of the said Act.

Notice is hereby given that, the aforesaid amendments will be taken into consideration by the Government on or after expiry of Thirty (30) days from the date of publication of this notification in the Andhra Pradesh Gazette and that, any objections or suggestions which may be received from any person, with respect thereto within the aforesaid period may be taken into consideration by the Government of Andhra Pradesh. Objections and suggestions should be addressed to the Principal Secretary to Government, Revenue (Endowments) Department, Andhra Pradesh Secretariat, Amaravathi, Velagapudi, Guntur District, in duplicate.

(p.t.o)

R U L E S

1. Short title:- These rules may be called the Andhra Pradesh Charitable And Hindu Religious Institutions and Endowments Hereditary Archakas Qualifications and Emoluments Rules,2017.

2. Application:-

(1) The Rules in this part shall apply to Hereditary Archakas mentioned in Rule (6) of this part of all Charitable and Religious Institutions other than Tirumala Tirupathi Devasthanams, who are recognized as Hereditary Archakas as per the provisions of Act No.17/1966 and continuing in religious service of any kind.

(2) The Rules framed under Section 35 (3) and Section 35 (4) relating to Qualification, Emoluments and Conditions of Service of the Non-Hereditary Archakas are not applicable to the Hereditary Archakas as they are governed by these rules

(3) Every Archaka in each institution published under Sections 6 (a), 6 (b) and 6 (c), who is already functioning in the approved cadre strength and governed by Rules framed under Section 35 (3) and Section 35 (4) and drawing emoluments as such and who is eligible to be recognized as Hereditary Archakas as per Rule (6) shall be given an option to either be governed by these Rules or to continue to be governed by the Rules framed under Section 35 (3) and Section 35 (4).

3. Definition:- The words and expressions used in these rules shall have the same meaning assigned by them in the Andhra Pradesh Charitable And Hindu Religious Institutions and Endowments Act, 1987 (Act No.30/1987), as amended by Act No.33/2007.

4. Hereditary Archaka Scheme:- There shall be a Scheme for Hereditary Archakas called 'Hereditary Archaka Scheme' in respect of those institutions where Hereditary Archakatvam was recognised as per the provisions of Act No.17/1966.

5. Hereditary Archaka Families:- In respect of institutions published under Sections 6(a), 6(b) and 6(c), Hereditary Archaka Families whose members have been performing Archakatvam service and recognized as such under the Act No.17 of 1966 shall be identified and recorded in the 'Hereditary Archaka Scheme' to be prepared for each such institution by the Commissioner.

Provided the process of paper notification in a leading daily, production of family members certificate, verification of genealogy map, obtaining affidavits, due and transparent enquiry shall precede before their identification is confirmed.

6. Rule of Succession:- In every case where the office or service is hereditary, the person next entitled to succeed, according to the rule of succession laid down by the founder, or where no such rule is laid down, according to the usage or custom applicable to the sect or sampradaya to which the institution or endowment belongs, shall with the permission of the Commissioner assume charge of such service.

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Provided that there shall be no superannuation to the Hereditary Archaka on the basis of age, but he shall be physically fit to perform his archakatvam duties.

Provided further that where there is already a Hereditary Archaka and he intends to retire due to old age or other health reasons, he shall nominate his successor and send the name to the Commissioner for approval.

Provided further that no adoption is final unless it is recognized by the Commissioner.

Provided further that nominee is from the same community and born to legally wedded wife and such person shall have acquired necessary qualifications and free from Sapta-vyasanams.

Provided further that persons who opt to succeed to hereditary archakatvam shall be eligible to be considered as such, only if they are willing to provide religious service on a full time basis in the temple and are proficient in providing such service.

7. Right to Archakatvam:-

(1) All qualified members who are above the age of 16 years belonging to the Hereditary Archaka Families under Rule (5) of these rules and who apply to be included in the 'Hereditary Archaka Scheme' will have right to archakatvam.

(2) As and when other members attain the age of 16 years they can file their respective claim with the concerned Authority for inclusion in the Scheme and the same will be recognized and 'Hereditary Archaka Scheme' shall be updated.

8. **Honours**:- In the 'Hereditary Archaka Scheme' formulated for each Temple the honours due to the Hereditary Archaka family members under Section 142 has to be recorded.

9. **Category of Hereditary Archakas**:-

(1) There shall be two categories of Hereditary Archaka in the institutions published under Section 6(a) and 6(b):

Category	Name
I	Pradhana Archaka
II	Archaka

In case of 6(c) institutions, there shall be archakas only.

(2) There shall be one Pradhana Archaka from each of the Hereditary Archaka family identified under Rule (5) in each institution published under Sections 6(a) and 6(b).

(3) Provided further in those cases where the serving Archaka expires without nominating his successor, the Commissioner shall enquire personally and decide the successor. The Commissioner shall take into account such factors like Law of primogeniture, eligibility, willingness work full time in a dedicated manner, prior experience, if any, etc.

(4) The senior most qualified Hereditary Archaka belonging to the Hereditary Archaka family will be Pradhana Archaka of that 6(a) or 6(b) temple and such person shall be entitled to all honours that his service is eligible.

10. **Emoluments**:-

(1) The Emoluments for the Hereditary Archakas shall be incorporated in the 'Hereditary Archaka Scheme' for each institution published under sections 6(a), 6(b) and 6(c).

(2) In respect of the institutions below income of Rs.5.00 Lakhs where Section 144 is not applicable, the Archaka families shall be allowed the same customary emoluments prevalent under the concerned provisions Act No.17 of 1966.

11. **Benefits**:- The Benefits for the Hereditary Archakas shall be incorporated in the 'Hereditary Archaka Scheme' for each institution published under Sections 6(a), 6(b) and 6(c) as per the guidelines punished by the Dharmika Parishad.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V. PRASAD,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Commissioner of Printing, Government Regional Press Building, Mutyalampadu, Vijayawada-520 011 (for publishing the Preliminary Notification in the Extra-ordinary issue of the Andhra Pradesh Gazette. He is requested to supply 50 copies to the Government; and 200 copies to the Commissioner, Endowments Department, Govt. of Andhra Pradesh, Gollapudi, Vijayawada, Krishna District).
The Commissioner, Endowments Department, Govt. of Andhra Pradesh, Gollapudi, Vijayawada, Krishna District.
Copy to:
The P.S. to Spl.C.S. to Chief Minister.
The P.S. to Minister (Endowments).
The P.S. to Principal Secretary to Government (Endowments).
Sf/Sc.

// Forwarded :: By Order //

SECTION OFFICER